

WATER COMPANY CLOSES ITS CASE.

Attorney for City Makes a Motion for Non-Suit and Is Overruled.

Before the water case was called this morning Assistant City Attorney Condon innocently remarked to THE TRIBUNE reported: "I have been told that THE TRIBUNE said my hair resembled a Canadian horse's tail," and he grinned mischievously.

"Not exactly the tail," replied the reporter, deprecatingly.

"Well, something like that. They have no interest in my personal appearance—don't care much about me, any way, I guess," he added in a burst of artless candor.

Mr. Condon appears to have evidently sound ideas of the estimation in which the public holds a razor-back lawyer. After imparting this expert opinion, he strangled out, leaving the special attorney for the city to earn his \$5,000 for the sweat of his brow.

W. G. Palmerston, attorney for the Central Bank, of which he is manager, is neither the owner of stock or bonds of the Contra Costa Company, nor the holder of either as security for loans. The bank holds a small amount of first mortgage bonds on the Berkeley plant acquired some years ago, but has no interest directly or indirectly in any of the properties owned by the Contra Costa Company.

A QUESTION OF SECURITY.

The wide range of Hayne's questions relatives to the rules of money lending provoked a lengthy discussion as to what constitutes an unsecured loan, the banks having answered that the rates of interest on unsecured loans were higher, generally speaking, than on secured loans. Mr. McCutcheon asserted that the money invested in the stock of the water company was analogous to an unsecured loan. It was subject to all sorts of vicissitudes and was simply the reversion of a mortgage debt. All the property of the corporation was held as security for a bonded debt, and the stockholders' interest was without security.

Mr. Palmerston said the largest loan on real estate during the past year he had received was \$20,000 at 8 per cent. The Central Bank had made one loan of \$100,000 at five per cent on 30 days' note, the security being bonds above par guaranteed by both the borrower and another stable bank. Very few loans had ever been made by his bank at as low a rate as five per cent, and none lower. These are words of exceptional character, on gilt-edged security, and virtually on call.

Mr. Palmerston said he would not care to loan money on Contra Costa stock unless the borrower was absolutely good under existing conditions. The way matters stand now, he said, he would not like to take it as security.

BANKER PRATHER TESTIFIES.

Thomas Prather, President of the Union National Bank, testified that the prevailing rate of interest on unsecured loans ranges from seven to eight per cent, the governing factors being the size and size of the loan.

In answer to Hayne he said he would consider six per cent a fair rate of interest for a secured loan of \$2,000,000. This was merely his opinion, however, as he had never handled such large loans.

"What would you consider a fair rate of interest on an unsecured loan of \$2,000,000?" asked Hayne.

"That would only be a matter of guess. I know of no such large sums being loaned without security. I don't think such large amounts are loaned unless secured."

This closed the case for the Water Company.

MOVES IN A NON-SUIT.

Hayne opened the hall for the city with a bow. He first read a long list of points on which he demanded that the plaintiff complete its proofs. Apparently it was an effort to cut off rebuttal, but perhaps it was only creating a pretext in advance for making stumping speeches for the edification of the members of the Council who voted to retain him.

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The grounds he set forth for the motion were mainly points on which he had been overruled in trying to exclude evidence. The motion read like a compilation of extracts from his innumerable motions and objections. He started out with the allegation that the Water Company had no property at all, but had only a right to stand in court. In the long list of reasons why the Water Company should be arrested for vagrancy and non-support a prominent place was given to the old books that were turned.

Judge Hart overruled the motion in about fifteen words.

A recess was taken till 1:30 o'clock.

THE MAN WITH A WILL.

In the afternoon Hayne started in to prove that the water ordinance adopted by the Council is fair and legal by putting on the stand an ancient, angular individual who announced with the air of a man making a proclamation that he was Captain William B. Roberts of Berkeley. The Captain stated that he owned some land in that classic locality. He divulgued the fact that he had sunk a well there in 1856. It was further developed that the well was 175 feet deep and that it has been disused for the past seventeen or eighteen years.

It is understood that the venerable

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A Sure and Certain Cure.
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OSGOOD BROS.
AGENTS
Seventh and Broadway Sts.

that the allegation regarding operating expenses excluded taxes.

How very important the item of taxes may be estimated from the fact that the total tax of State, county, municipal and school on the entire system for the present year amounts to between \$20,000 and \$30,000. As the gross revenues for the year 1899 under the old ordinance only amounted to a total of \$114,000, the deduction of something like \$160,000 for operating expenses and taxes does not leave very much, if any, left.

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The Cap'n was going on to explain that he disengaged the water because he "suspected" when he was interviewed by Mr. McCutcheon, who suggested that whatever suspicion the ancient mariner entertained eighteen years were not relevant to the matter in hand however entertaining they might be as reminiscences.

His honor evidently considered that the venerable captain's anecdotes with his well in years gone by would be a great addition to the Court on the question of water rates, for he decided that no examination should be made more definite.

THE CAP'N AS AN EXPERT.

Then Captain Roberts was subjected to an examination as to his qualifications as an expert. He having stated that he had measured the water flowing from his pioneer well by means of a "well," which he described as "a box with a hole in it."

At the Stockholders Hold

Meetings and Hear

Annual Reports.

This is the season of the year in which the men who are interested in the bank and other financial institutions of the city meet to review the business of the past year and decide what shall be the policy and who shall carry out that policy during the coming twelve months.

Yesterday afternoon the stockholders of four local banks held their regular annual meeting, and no change of any kind was made in the conduct of any of them. All the meetings were largely attended by stockholders, and there was a better representation than usual of the stock of the several concerns.

At the meeting of the stockholders of the Union Savings Bank the business in hand was conducted in a short time and resulted in the election of the present incumbency on the Board of Directors, as follows: Thomas Prather, A. E. H. Grimes, H. W. Meek, Thomas Crotell, W. H. Henshaw, Wm. G. Henshaw, R. S. Parry, C. E. Palmer, Herman A. Tibbles, Silas P. Martin, Geo. D. Grant.

These in turn met and elected the following officers: Wm. G. Henshaw, president; C. E. Palmer, vice-president; A. E. H. Grimes, cashier.

At the First National Bank the directors elected were: G. W. McNear, L. W. Bunyon, W. H. Taylor, Wallace Emerson, L. C. Morehouse, P. E. Bowles, J. H. Chilcote, L. G. Burpee, G. W. McNear Jr. Those re-elected the following officers: P. E. Bowles, president; G. W. McNear, vice-president; L. G. Burpee, cashier; L. N. Walter, assistant cashier.

There is a general feeling among the local leaders to avoid Populists and Independent Republicans. They say they would prefer to go down with 100 votes rather than give up principle any more.

W. W. Foote heads the delegations.

He will be looked on to furnish the eloquence of the convention and incidentally tell something of his European experiences.

M. J. Lynam will be urged for chairman of the convention.

Con Brosnahan is a delegate from the Fifth Ward. Con can probably have anything he wants by asking for it. He is saying nothing and sawing wood.

R. M. Clement will not bother the Democrats this year by asking their support, and will seek the Republican nomination.

F. W. Lemhardt, one of the Democratic Committee, who died from the effects of a clubbing given him by Policeman Pardee, has friends among the Democrats who are displeased at Pardee's being retained as a policeman by Clement's vote. They seek revenge on the City Engineer.

The officers chosen by these for the next year were: Thomas Crotell, president; W. G. Palmer, vice-president; C. E. Palmer, assistant cashier.

At the meeting of the stockholders of the Central Bank three-fourths of the stock was represented, and the following were elected as directors: Charles D. Pierce, J. W. Phillips, W. G. Palmerston, Thomas Crotell, Almon S. Blake, George C. Perkins, George D. McNeal, H. C. Morris, W. S. Phelan, H. S. Morris.

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At the meeting of the State Savings Bank the directors elected were: J. C. McTavish, V. D. Moody, C. H. Jones, J. B. Lanktree, W. C. McIvy. The officers chosen were: C. H. Moody, president; V. D. Moody, vice-president; R. J. McTavish, cashier. Some months ago W. P. Jones, a director of the bank, died, and J. B. Lanktree was appointed to serve out the term of Jones. Yesterday W. P. Jones was elected to a regular place on the board.

The annual meeting of the City Bank of Savings will be held Monday, January 11, at 3 o'clock P. M.

The Farmers and Merchants Savings Bank has declared a dividend for the last six months of 22.5 per cent.

HE GOT A DOLLAR.

"Have you received anything from the city?"

"I got a dollar."

Witness said the tests of his wells were made under direction of City Engineer Clement.

"Were not the wells declared a failure after those tests?"

"I don't know."

"Did not the city let its option expire?"

"Yes."

"You were informed that no water was found in the well sunk by the city?"

"Yes."

"How were the wells tested?"

"Where did you get that compression?"

"From Mr. Dinger."

Yesterday's Proceedings.

When THE TRIBUNE went to press, yesterday the water rate case was still on trial.

A STIPULATION AS TO RECEIPTS.

After a short recess it was stipulated between the opposing counsel that the amount of operating expenses of the Contra Costa Company should be divided as follows: 87 1/2 per cent gross for inside the city and 12 1/2 per cent outside, or one to seven. This settles a matter that would have required a great deal of time to have been proved in court. The stipulation goes no further, however, than the current year.

Hayne offered to admit the allegation of the complainant as to the amount of operating expenses, but Mr. McCutcheon said the allegation on cover of the estimate of a prospective expenditure. The year was past and the exact amount of operating expenses was now known and could be made a matter of proof. In the case of the plant the operating expenses for the year was placed at \$1,000,000, exclusive of taxes. However, the attorneys for the Contra Costa Company offered to accept the admission. Hayne immediately revoked. He said he had forgotten

the question of what use the old Free Public Library building is to be put to after the institution is removed to the new structure, was raised at a meeting of the Board of Public Works this morning.

"The usual monthly bill from the Marinette estate for rental of the City Engineer's office in the Macdonald building brings the question to my mind," said Chilcote.

"I don't really know what to do with the old library building," replied Macdonald. "It might be used as an up town reading room, but I suppose it would be better to have the new City Hall occupy that space."

"Well, I was just wondering whether the old structure might not be fitted up for the City Engineer's office. The lower part could still be used as a news-paper reading room," concluded Dow, and the matter was closed.

FRANKLIN SLIP DREDGING.

The Pacific Coast Dredging and Reconstruction Company applied for an extension of thirty days' time to complete the contract for dredging at Franklin street slip, the conditions of the work being such that the contractors have suffered the loss of a great deal of time from stoppages to break the pipe-line and allow the passage of all classes of shipping either up or down the estuary. It is the point of dredging. The contract was let last October.

A resolution was adopted, forwarding a copy of the dredging company's application to the City Council and recommending that an extension of time be granted.

J. G. Henderson & Sons were granted permission to have a temporary house from Washington and Thirteenth streets to Twenty-first and Telegraph avenue.

MEETING AT THE BLIND HOME.

The monthly meeting of the directors of the Industrial Home for the Adult Blind was held last night at the Home in Alameda. All the directors, save Sanborn, were present. Routine matters were disposed of and it was announced that the bills preceding for the relief of the institution, rendered necessary by a deficiency of something over \$2,000 occasioned by a "crisis." In the brown case marked "A" also a bill providing for money for the re-opening of the blind shop would come up before the Legislature for consideration at the present session.

There are now 35 inmates in the Home, of whom about 50 are able to work so as to be able to help themselves.

Of the total number 15 are over 50 years of age, 15 over 70 years, and 35 over 50 years. The last three classes are able to do but little to help themselves.

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These in

the lady buyers know our annual clearance sale has commenced

our center counters have goods loaded with big leaders.

tomorrow is embroidery day! We advise you to come early — you know early selections are the best.

and this is what we are going to sell —

embroidery lengths of manufacturers' samples in four, five and six yard lengths — both insertions and edgings	25 29 31 and 33c each
embroideries by the yard, during this sale only — both insertions and edgings — all good patterns.	5, 6, 7, 10 12 and 15c * yard

take note these are all new and fresh goods bought especially for this big sale.

we advise early trading.

Abrahamson Bros.

S. E. Cor. Thirteenth and Washington Sts.

NOTES FROM THE COLLEGE TOWN.

NEWS FROM THE ENCINAL.

BERKELEY, Jan. 9.—The Board of Trustees has received bids for the construction of the new High School building. The proposals were as follows: Robert Gregg, for construction of the High School, complete, \$35,295; C. L. Nichols, High School and laboratory complete, \$36,644; bid on carpenter work, \$27,200; Laidgren & Hicks, High School, \$31,690; laboratory \$7,575; C. Christensen, High School and laboratory, \$37,820; Philip Shridan, carpenter work alone, \$21,200; laboratory, \$6,400; Fred L. Hanson, carpenter work, \$26,355; laboratory, \$5,110; E. Seidel, carpenter work, \$26,521; laboratory, \$5,297; H. L. Whitney, brick and mason work, \$28,000; Walker & Walker, brick and mason work, \$25,150. For the plumbing alone bids were received as follows: H. E. Underwood, \$2,591; L. Hawe, \$2,910; Dahlzel & Moller, \$2,597. Two bids were received too late and one was not accompanied by the necessary check. The bids were referred to the Committee of the Whole, to meet next Monday and Wednesday nights. The bid of W. Morgan & Co. for heating and ventilating the San Pablo School was accepted. The price is \$1,700.

The Board granted a temporary franchise to the Bay Counties Power Company to run a double line of poles and wires down Rose street to Grove and thence to the Oakland line.

LIQUOR LICENSES.

BERKELEY, Jan. 9.—Applications for liquor licenses have been made as follows: Charles Wiemann, John Wiesmann, A. Blomberg, Charles Hadden, D. H. Bruns, F. W. Munday, J. B. Casabone, Joseph Duran, J. Gudan, Christopher J. Hirschfeld, Henry Osterman, A. Hulldale, C. Cole, Herman Peters, John Lostrange, Charles Peterson, T. F. McNamara, Joseph Verone and C. P. Rooney.

COURSE IN LINGUISTICS.

BERKELEY, Jan. 9.—During the next University term Dr. Max L. Margollé, associate professor of the Semitic languages and literatures, will offer a course in general linguistics. This will be the first course on that subject ever given at Berkley.

Dr. Margollé's lectures will be upon the relationship of the Indo-European, Semitic and Egyptian families of languages. No knowledge of any specific language will be required by those taking the course.

GERMANS TALK OF NEW SOCIAL CLUB.

There is a well grounded feeling among a certain number of Germans of this city that a society fashioned after the Harmsdorf of Altona should be established here. The members of the Deutscher Club, the representative German social organization of this city, are others who feel that the organization ought to be known. The number of members from Altona and Berlin, the two cities being affiliated, are it is thought that inside of a couple of weeks the movement to establish such an organization will be well under way. So far, however, it is held in a very narrow circle of the members of the Deutscher Club, which is popular in this city.

Slicer Sells Stock.

An order of \$10,000 has been entered in the suit of Charles E. Slicer against the Alameda Macadamizing Company. Slicer has sold his stock in the corporation to the company.

MUNYON'S DYSPEPSIA CURE

When Prof. Munyon says his Dyspepsia Cure will cure indigestion and all forms of stomach trouble, he means it. It is a real cure — a stomach that has been shamed by over-eating and over-drinking. It will cure a stomach that is weakened by old style drugs and debilitants. It is a safe and powerful medicine making an old stomach act like a young one. At all drug stores, 25 cents. Fifty-six others cure. For medical advice, 25 cents.

LOST MONEY IN TRADING FOR RANCH.

Jacob Levi St. has sued Willis and Elizabeth Witte for \$3,24 which he claims he lost in a really deal when he traded his Broadway block for a San Joaquin county ranch.

The complainant recites that in March 1891, Levi traded his building at Ninth street and Broadway for the Trappe's Slough Ranch, in San Joaquin county, then owned by the defendants.

It is claimed that the ranch owners guaranteed that the income of the place for the year would be at least \$8,500. When Levi harvested his crop and paid the expenses he had only \$3,225 to his credit. Now he sues for the difference.

WHAT OUR STREETS COST CITY.

Supt. Ott Makes an Interesting Report to Board of Works.

At the meeting of the Board of Public Works this morning Street Superintendent Ott submitted a statement of the Street Department expenses for the year 1900-01, showing that the total amount expended from July last up to January 1st of this year was \$32,105.41, that the estimated expenses from January 1st to July, 1901, will be \$39,420.00. His statement shows also the original amount allowed for the departments of the City Auditor was \$31,684, which was cut down to \$29,000 by the City Council. There is now \$16,51 in the Street Repair Fund, and \$60 has been collected from the rental of the city steam roller, thus bringing the original amount available up to \$92,500. In view of \$37,105.31 having already been expended, and the reported expenses to July next being \$32,105.41, there will be only a deficit of \$3,54.

The statement, in view of the big deficits reported from other department funds, was considered remarkable. Accompanying the tabulated statement was the following communication from the Street Superintendent:

To the Honorable Board of Public Works of the City of Oakland: General — As the financial statement for the fiscal year 1900-01 has just terminated, I beg to submit to your honorable body a detailed statement of the money expended by this department during that period and to attach thereto a detailed statement of the estimated expenses of the department for the remainder of the fiscal year.

"The statement, as you will observe, shows an apparent deficit of \$33,531, but in view of the Auditor's safety fund for the steam roller, while I have estimated no income from the rental thereof. During the first half of the year in rental the roller brought in to the Department \$160, and I trust that some revenue may be derived from the same source during the coming semi-year. Some money may also be paid into the street repair fund and from these two sources, it is my judgment, the deficit will be easily eliminated.

"In estimating the expense of street "sweat" I have allowed but \$12,214, that being the difference between the amount already expended and the amount allowed by the Auditor. I am free to confess however that this is not a sufficient sum to give adequate service. It is but a trifle more than the amount expended from January to July of last year, during which period the service was extremely poor, and \$5,000 additional could be well expended this year in this branch of the street department. To keep within the amount allowed for street maintenance the crew now engaged in street repairing will have to be laid off after this month, which will leave but two men, one with horse and cart, to fill such dangerous holes in streets as may occur.

"You will also observe that in the matter of water bills for all purposes I have allowed the amount demanded by the Water Company, which is figured under the old rates. In estimating the cost of water to be used I have followed the same line of figuring.

"Your honorable body will appreciate the difficulty in estimating expenses from this branch of the city government for the various uses may happen at any time. It is not possible to allow for an expenditure of a large amount of money, and it is further to be considered that the Street Superintendent has not full control of the funds allowed his department; they are subject to the order of both Council and your honorable body, yet I am sure that both bodies will endeavor to do their utmost to assist me in keeping within the monetary limits allowed for the expenses of the Street Department for the fiscal year 1900-01. Very respectfully, — CHAS. F. OTT.

"Superintendent of Streets."

The communication and statement were placed on file. Mayor Showe remarking that if similar saving could be made by the other departments, the city could well afford to congratulate itself.

STATE PROTECTION FOR OUR FORESTS.

At the meeting of the Forestry Section of the California Club yesterday in Y. M. C. A. building, George D. Gray of this city spoke on "Forests" from a Lumberman's Standpoint. There were about 300 audience present. Mr. Gray gave some sombre statistics. Among other things he said that the amount of forests standing in California at the time it became a State was 33,000,000 acres, and that it has been cut to 12,000,000 acres at the present time. The redwood belt extends from Monterey to the north of the State and once contained 12,000,000 acres, of which one-half has been diminished. There are about 25 acres yearly, or 25 acres a day. The stock of sugar pine, yellow pine and fir on the west slope of the Sierra is 40 million acres, 60 miles wide and is going for the same reason.

Mr. Louis White, president of the club, announced that a petition with 100 signatures had been prepared and would be presented to the Legislature, asking that it be voted to protect and renew the forests of the State.

NEWS NOTES.

ALAMEDA, Jan. 9.—At the meeting of the Board of Trustees President John A. Britton of the Oakland Gas Light and Heating Company offered to supply the city with electricity for about 3 cents per 1,000 Watts, and to keep the supply available throughout the entire twenty-four hours. He did not desire to have the Alameda city plant shut down, but merely to supply an auxiliary to it when the plant could not be operated economically. All that his company would ask was that the city should agree to take a certain minimum quantity to defray the expense of connections and maintenance.

It was decided to hold a special meeting of the Trustees on Friday evening next, when Mr. Britton will be present.

Trustee Fordester brought up the matter of harbor improvement. He said that the city should agree to take a certain minimum quantity to defray the expense of connections and maintenance.

It was decided to hold a special meeting of the Trustees on Friday evening next, when Mr. Britton will be present.

ALAMEDA, Jan. 9.—At last night's meeting of the Board of Trustees the fact was developed that by ordinance duly enacted and now in force Indian corn is not a vegetable in Alameda. What it is, the ordinance does not specify. But it is not to be regarded as a vegetable in plain.

The question arose when Louis Seidelberg appeared and protested against the cultivation of vegetables on a lot contiguous to his residence, whereby he claimed a nuisance was created. It then transpired that the Board of Trustees had already enacted that corn is not a vegetable and hence does not come within the inhibition against promiscuous vegetable growing on vacant lots. The Trustees took no action on the protest.

ALAMEDA, Jan. 9.—The Catholic Ladies' Aid Society will give an entertainment in Lafayette Hall Wednesday evening, January 30th. The Rev. Father Sesson will give two vocal solos and other talent will contribute to make the affair successful.

Mrs. Theodore Vogt of San Antonio avenue entertained "The Jolly Duzen" a ladies' club, last evening. After the game supper was served at midnight.

The Entre Nous Whist Club met Friday afternoon at the residence of Mrs. Mesdek, on Clinton avenue. No prizes were given at this meeting.

Mrs. Warren Higgins of Central avenue entertained the Inter Nos Club last evening. Whist was played during the evening and supper was served at midnight.

The members of the San Simeon, a whist club, were entertained by Mrs. Frank Reed of Alameda avenue last evening. Those present were: Mrs. Johnson, Mrs. Youngberg, Mrs. Hollister, Mrs. Adams, Mrs. Glaisher, Mrs. Husband, Mrs. Dodge, Mrs. Rue, Mrs. Chambers, Mrs. Isenfeld, Mrs. Burton, Mrs. Jackson, Mrs. Dinsmore, Mrs. Reynolds, Mrs. Walker, Mrs. Craft, Mrs. Stidley, Mrs. Myers, Mrs. Goddard, Mrs. Parker, mother of W. F. Parker, who has been very ill during the past two weeks and is still confined to bed.

Will Fisher of Oak street has been seriously ill for a month past.

Hannay Kearney of Broadway avenue is about to sail on the Grant for China, where he intends to remain for a year.

Had Money in Bank.

The Public Administrator has been granted letters on the estate of Francisco Pimentel, who died on Island Fajal, Azores, April 26th. He had \$1,698 on deposit in an Oakland bank.

Patent Granted.

A patent has been granted to J. W. Scott of this city for a can and cup.

Patent Appraised.

The estate of Mary Jucksch, deceased, has been appraised at \$3,750.

AT BED TIME

I take a pleasant herb drink, the next morning I feel bright and my complexion is better. My doctor says it acts gently on the stomach, liver and kidneys, and is a pleasant laxative. It is made from herbs, and is prepared as easily as tea. It costs 10 cents and 25 cents. Last family medicine moves the bowels each day, if you cannot get it, send for a few samples. Address, Orator F. Woodward, Le Roy, N. Y.

WOMAN BROKE THE SUICIDE RECORD.

Defends Herself in the Police Court and Is Found Guilty.

Margaret Smith, late from the stamping ground of Mrs. Lense of Kansas, was today sentenced by Police Judge Smith to sixty days' imprisonment in the County Jail, for vagrancy.

After spending about thirteen days in the City Prison awaiting trial by jury, Margaret Smith appeared in the Police Court yesterday, all primed and in her Sunday best, with her hair hanging down her back, and broke another record.

She conducted her own defense after a fashion that would do justice to one fairly well versed in legal procedure, and her ready questions put to witnesses proved that she was no novice before the Police Court; but she also proved that thirteen witnesses is an unlucky number for an accused.

Several months ago the young woman broke the record for attempted suicides. One afternoon she jumped from the Grove street wharf into the estuary. On that occasion she was fished out and taken to the City Prison, where the same night she attempted to drown herself in the prison bath-tub. The next day she repeated her rash act.

Since then she has broken the "jail" record three times. She has spent several terms in the City Prison. One day last month, when she had been released after serving thirty days, she was brought back within two hours after her release. Just before Christmas she was once more released, and about Christmas time, when she had a two-course Christmas dinner to cost for a respectable family, she was arrested for vagrancy.

At the trial, the jury, after a regular meeting last evening and passing the following resolutions:

"The Merchants' Exchange held a regular meeting last evening and passed the following resolutions:

"Whereas, A request has been presented to the City Council to open Adeline street from the line of First street to the shipward of Books & Co., and an offer has been made to donate the land and build the street.

Resolved, By the Merchants' Exchange of Oakland, that the City Council of Oakland is hereby requested to grant said petition and open Adeline street as desired; provided it can be done without prejudice to the legal rights of the city in the suit now pending against the Water Front Company.

The fact that Rev. Guy Smith, late pastor of the First Christian Church of this city, was given an expedition of qualified confidence by his former co-laborers in the service of the Lord in San Francisco, has created a mild sensation in local church circles, and a storm of indignation is ready to break.

The sensational investigation into Rev. Smith's conduct, while pastor of the First Christian Church, regarding his alleged wrongdoing of a Woodland Miss., while at the same time he was suing in the Superior Court for a divorce from his wife, who resided at Lincoln, Nebraska, is still fresh in the mind of the average reader; also the sudden appearance of Mrs. Guy Smith on the scene to file a divorce suit, her sudden change of heart, and the subsequent declaration that the defendant wife had been potted.

All of the minute details of that affair recurred to the recollections of the church members, when they read yesterday's TRIBUNE that Rev. Guy Smith had come before the Christian Ministerial Union and obtained qualified votes of confidence in order to further his Christian work in certain fields of usefulness might be facilitated.

It was shown that while the exchange board at the local church had dealt rather harshly with him, in ruling that while he had not been proved guilty of immorality, still his actions had been declared "indiscreet," and the congregation at the time was disposed to feel that after all the minister had deserved so flagrantly as had been pictured by some of the members of the board.

Speaking of the action of the Ministerial Union, W. T. Gibbs, one of the most prominent members of the First Christian Church said today:

"We were very much surprised to learn of Mr. Smith's request for a recommendation and vote of confidence and were greatly surprised over the action taken."

"We received no notification whatever from those people, regarding the matter, and hence we had no opportunity of sending a delegation to be present at the meeting to offer objections or relate why Rev. Guy Smith was removed. We think it would have been no more than right that we should have been notified of Smith's action."

A SOUR STOMACH

Is Often the Real Cause of a Sour Temper.

That the condition of the digestive organs has a marked effect upon the character or disposition is a truth as old as the hills. Old Ben Johnson wisely said "the pleasure of living depends upon the liver" and it is a fact which none may dispute that a sunny disposition more often results from a healthy digestion than from any other cause.

Acid dyspepsia, commonly called sour stomach or heartburn, is caused by slow digestion of food; instead of being promptly digested and converted into blood, bone and muscle, it lies in the stomach for hours, fermenting and decaying, creating gases which cause pressure on the lungs and heart, short breath and general discomfort and irritation.

Such half digested food is indeed poor nourishment for the body, brain and nerves and the result is shown in irritable tempers, uncontrollable headaches and that depressing condition usually called the "blue" but how quickly all these disappear when appetite and digestion are restored.

Laxative medicines only irritate the stomach and bowels and have no effect upon actual digestion of food.

The sensible course to follow is to make use of simple natural

PRODUCE MARKET.

SHOP WHOLE-SALING. 31; selling, 31.
BATTLER—Feud 36c for bright, 35c for No. 1, 36c for off-grade, 36c for wine and shippable grades, 36c. Cheveral, 36c.
CORN—California yellow, 31 1/2c; 32c; white, 31 1/2c; 35c. Eastern mixed, 31 1/2c per cwt.

DATE—White, 31 1/2c; 35c. Sun-dried, 31 1/2c for seed; 35c for seed; 36c for seed; 38c for seed; 40c for seed; 42c for seed; 45c for seed.

RAPE—33c per cwt.

BUCKWHEAT—Quoted at 31 1/2c per cwt.

WHEAT—California family, extra, 31 1/2c; 32c; usual terms; bakers, extra, 31 1/2c; 32c; Oregon, 32 1/2c; per lb for family and 32 1/2c for bakers. Washington bakers, 31 1/2c.

GRAN—31 1/2c per ton.

MILDEWINGS—31 1/2c; 32c; 35c per ton.

PEPPERMINTS—Hulled, 31 1/2c; 32c; 35c per cwt. Peppermints at the mill, 31 1/2c; 32c; 35c; 36c; 38c; 40c; 42c; 45c; 47c; 50c per cwt.

RAPE—Volunteers, 35c; wheat, 31 1/2c; 32c; 35c; 36c; 38c; 40c; 42c; 45c; 47c; 50c per ton.

RAPE—35c per ton.

